

UNITED STATES DISTRICT COURT

for the
Eastern District of Wisconsin

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address)) Case No. 22-901M(NJ)
a USPS Parcel assigned tracking number)
9505 5115 9083 2136 4485 84)
)

WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure of the following person or property located in the Eastern District of Wisconsin

(identify the person or describe the property to be searched and give its location):

The SUBJECT PARCEL is described as a 14.125" L x 12.0" W x 3.5" H, a white colored USPS branded Priority Mail cardboard box, weighing approximately 6 pounds 4.4 ounces or 2,847 grams, and bearing USPS Priority Mail Parcel number 9505 5115 9083 2136 4485 84. The exterior of the SUBJECT PARCEL box is handwritten on with a black marker and is addressed from, "Desiree Lopez Astol Barrio Santa Rosa, Calle A Buzon 265, Hatillo P.R. 00659." The SUBJECT PARCEL is addressed to "Johndeny Vega Lopez 1021 Lincoln Ave Sheboygan WI 53081-2648." The Postage paid was \$16.10.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

A controlled substance, fruits of crime, or other evidence of distribution and possession with intent to distribute a controlled substance, conspiracy to distribution and possession with intent to distribute a controlled substance, and unlawful use of a communication facility (including the mails) to facilitate the distribute a controlled substance, in violation of 21 U.S.C. §§ 841(a) (1), 846 and 843(b).

YOU ARE COMMANDED to execute this warrant on or before 6/2/22 (not to exceed 14 days)

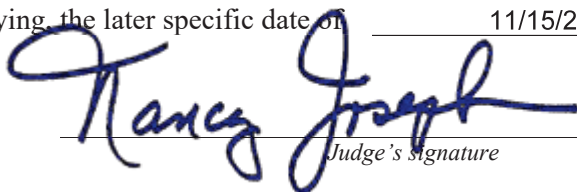
☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Honorable Nancy Joseph
(United States Magistrate Judge)

☒ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for days (not to exceed 30) ☒ until, the facts justifying, the later specific date of 11/15/2022.

Date and time issued: 5/19/22City and state: Milwaukee, Wisconsin


Honorable Nancy Joseph, U.S. Magistrate Judge

Printed name and title

Return

Case No.:

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of :

Inventory of the property taken and name(s) of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

*Executing officer's signature*_____
Printed name and title

UNITED STATES DISTRICT COURT

for the
Eastern District of WisconsinIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)a USPS Parcel assigned tracking number
9505 5115 9083 2136 4485 84

Case No. 22-901M(NJ)

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

a USPS Parcel assigned tracking number 99505 5115 9083 2136 4485 84 addressed to "Johndeny Vega Lopez 1021 Lincoln Ave Sheboygan WI 53081-2648."

located in the Eastern District of Wisconsin, there is now concealed (identify the person or describe the property to be seized):

controlled substance, fruits of crime, or other evidence of conspiracy to and distribution and possession with intent to distribute a controlled substance and unlawful use of a communication facility to distribution of a controlled substance.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

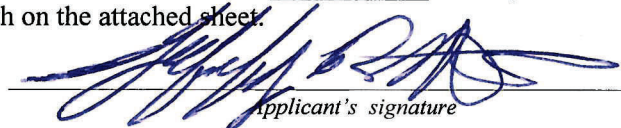
- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
21 U.S.C. §§ 841(a)(1), 846
and 843(b).Offense Description
Conspiracy to and distribution and possession with intent to distribute a controlled substance and unlawful use of a communication facility to distribution of a controlled substance.

The application is based on these facts:

Please see attached affidavit, which is hereby incorporated by reference.

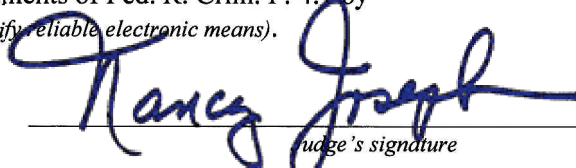
☐ Continued on the attached sheet.☒ Delayed notice of 180 days (give exact ending date if more than 30 days: 11/15/2022) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Jeffrey R. Metke Inspector, USPS

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

SWORN to by telephone (specify reliable electronic means).Date: 05-19-2022

Judge's signature

City and state: Milwaukee, Wisconsin

Nancy Joseph, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Jeffrey R. Metke, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a United States Postal Inspector, assigned to the United States Postal Inspection Service (“USPIS”) Domicile in Milwaukee, Wisconsin. I have been a federal law enforcement agent for over fourteen years. From July 2007 to February 2015, I served as a Special Agent with the United States Department of Homeland Security and from February 2015, to the present day, with the USPIS. In addition, I have served as a Wisconsin state certified law enforcement officer for multiple agencies in the state of Wisconsin since 1995.

2. The USPIS is the primary investigative arm of the United States Postal Service (“USPS”) and is charged under Title 18, United States Code, 3061 with the enforcement of laws governing the use and movement of the United States Mail, including the misuse and fraudulent schemes involving the mail, crimes relating to mail fraud, narcotics trafficking and identity theft involving the United States Mail.

3. I am currently a member of the North Central (formerly Wisconsin) High Intensity Drug Trafficking Area Task Force (HIDTA) assigned to the drug interdiction initiative as an investigator specializing in the smuggling, trafficking, and distribution of dangerous and controlled substances through the United States Mail. I have conducted hundreds of drug investigations in my two decades of law enforcement experience and received continual training in that and other fields. I am familiar with various methods of smuggling and trafficking narcotics and other controlled substances and the proceeds from sale of such substances. I am also familiar with methods used to evade detection of both the controlled substances and the proceeds from their sale that are used by drug traffickers. Within the USPIS, a primary investigative assignment of mine

is the Prohibited Mail-Narcotics program, which is responsible for protecting the United States Mail from misuse by traffickers and smugglers of illicit controlled substances. Also, within this program area is an effort to stop the misuse of the United States Mail by said drug traffickers, by seizing the proceeds of this unlawful activity as the proceeds are mailed back to the sources of supply.

4. I have participated in numerous complex narcotics investigations which involved violations of state and federal controlled substances laws including Title 21, United States Code, Sections 841(a)(1) and 846 (possession with intent to distribute a controlled substance and conspiracy to possess with intent to distribute a controlled substance), and other related offenses. I have had both formal training and have participated in numerous complex drug trafficking investigations, including two using wiretaps. More specifically, my training and experience includes the following:

- a. I have utilized informants to investigate drug trafficking. Through informant interviews, and extensive debriefings of individuals involved in drug trafficking, I have learned about the manner in which individuals and organizations distribute controlled substances in Wisconsin and throughout the United States;
- b. I have also relied upon informants to obtain controlled substances from dealers, and have had informants make undercover purchases of controlled substances;
- c. I have participated in over 100 search warrants where controlled substances, drug paraphernalia, and drug trafficking records were seized;
- d. I am familiar with the appearance and street names of various drugs, including marijuana, heroin, cocaine, cocaine base (unless otherwise noted, all references to crack cocaine in this affidavit is cocaine base in the form of crack cocaine), ecstasy, and methamphetamine. I am familiar with the methods used by drug dealers to package and prepare controlled substances for sale. I know the street values of different quantities of the various controlled substances;
- e. I am familiar with the language utilized over the telephone to discuss drug trafficking, and know that the language is often limited, guarded, and coded;
- f. I know that drug traffickers often use electronic equipment and wireless and land line telephones to conduct drug trafficking operations;
- g. I know that drug traffickers commonly have in their possession, and at their residences and other locations where they exercise dominion and control, firearms, ammunition, and records or receipts pertaining to such;

- h. I have assisted in court authorized wiretaps and have been trained to operate the equipment utilized to conduct such operations;
- i. I know that drug traffickers often put their telephones in nominee names in order to distance themselves from telephones that are utilized to facilitate drug trafficking; and
- j. I know that drug traffickers often use drug proceeds to purchase assets such as vehicles, property, and jewelry. I also know that drug traffickers often use nominees to purchase and/or title these assets in order to avoid scrutiny from law enforcement officials.

5. I have been the affiant on over 75 warrants in federal court. Based on my training received at the Federal Law Enforcement Training Center (FLETC), personal experience, on the job training, and working with other Postal Inspectors and Wisconsin HIDTA drug task force officers, I know narcotics, drugs, paraphernalia, controlled substances, and moneys associated with the sale of narcotics, drugs, and controlled substances are sent through the USPS system, and I am familiar with many of the methods used by individuals who attempt to use the USPS to illegally distribute controlled substances.

PURPOSE OF AFFIDAVIT

6. This affidavit is made in support of a Federal Search and Seizure Warrant for the **SUBJECT PARCEL** (described below), for items which may constitute the fruits, instrumentalities, proceeds and evidence of violations of Title 21, United States Code, Sections 841(a)(1) (Distribution and Possession with Intent to Distribute a Controlled Substance), 846 (Conspiracy to Distribution and Possession with Intent to Distribute a Controlled Substance, and 843(b) (Unlawful Use of a Communication Facility (including the mails) to Facilitate the Distribution of a Controlled Substance). To seize: any controlled substance, and any paraphernalia associated with the manufacture and distribution of controlled substances including packaging materials and containers to hold controlled substances; proceeds of drug trafficking activities, such as United States currency, money orders, bank checks, precious metals, financial instruments; and

drugs or money ledgers, drug distribution or customer lists, drug supplier lists, correspondence, notations, logs, receipts, journals, books, records, and other documents noting the price, quantity, and/or times when controlled substances were obtained, transferred, sold, distributed, and/or concealed.

PARCEL TO BE SEARCHED

7. This affidavit is made in support of an application for a Federal Search and Seizure Warrant for a USPS Priority Mail piece (**SUBJECT PARCEL**). The **SUBJECT PARCEL** is described as a 14.125” L x 12.0” W x 3.5” H, a white colored USPS branded Priority Mail cardboard box, weighing approximately 6 pounds 4.4 ounces or 2,847 grams, and bearing USPS Priority Mail Parcel number 9505 5115 9083 2136 4485 84. The exterior of the **SUBJECT PARCEL** box is handwritten on with a black marker and is addressed from, “Desiree Lopez Astol Barrio Santa Rosa, Calle A Buzon 265, Hatillo P.R. 00659.” The **SUBJECT PARCEL** is addressed to “Johndeny Vega Lopez 1021 Lincoln Ave Sheboygan WI 53081-2648.” The Postage paid was \$16.10.

INVESTIGATION OF THE SUBJECT PARCEL

8. I, and other Postal Inspectors, have identified a trend of drug traffickers mailing controlled substances into the Eastern District of Wisconsin, from states in the Western United States, the Caribbean, and along the international border such as: Washington, Oregon, California, Colorado, Nevada, New Mexico, Texas, Arizona and the territorial island of Puerto Rico. There, controlled substances are more easily and readily available, due to certain state laws, and a porous international border, among other reasons. Inasmuch as individuals who would receive these controlled substances through the United States Mail are obliged to pay for said controlled substances, often, the United States Mail is utilized by drug recipients to send payments back to

the drug traffickers on West Coast, along the Southwestern United States and Puerto Rico. As such, within the Prohibited Mail-Narcotics program area of the USPIS, certain indicators have been identified in the area of the trafficking of both illegal drugs, and their proceeds, through the United States Mail.

9. I, along with other Milwaukee Postal Inspectors, conduct routine examinations of Postal Service databases and the outside of parcels traveling in the USPS Priority Mail and Priority Mail Express to the Eastern District of Wisconsin from states in the Southwest and Western United States as well as the territory of Puerto Rico.

10. On May 17, 2022, I reviewed USPS databases for all parcels in the mail stream traveling from Puerto Rico to the 530 ZIP code in the Eastern District of Wisconsin. The 530 ZIP code covers portions of seven different Wisconsin counties. On this day, there were five USPS Priority Mail Parcels in the mail stream traveling from Puerto Rico to the 530 ZIP code, four of the five were being mailed into the City of Sheboygan, Wisconsin. In the last six months, I personally have seized, pursuant to federal search/seized warrants, six kilograms of cocaine traveling from Puerto Rico to Sheboygan, Wisconsin. I discovered two to the four parcels were going to the same address, 1021 Lincoln Avenue Sheboygan, Wisconsin 53081 and I began to investigate these parcels.

11. On May 19, 2022, the **SUBJECT PARCEL** is arrived at the USPS Priority Mail Annex in Oak Creek Wisconsin. Examination of the exterior of the box revealed the parcel was addressed in a hand-written manner. The postage label confirmed the mailer spent \$16.10 at a Post Office in Hatillo Puerto Rico. The hand writing on the exterior of the **SUBJECT PARCEL** was specifically addressed in the following manner:

From: Desiree Lopez Astol
Barrio Santa Rosa,
Calle A Buzon 265
Hatillo P.R. 00659

To: Johndeny Vega Lopez
1021 Lincoln Ave.
Sheboygan WI 53081

CLEAR, USPS, DOT, database queries and K9 alert to the SUBJECT PARCEL

12. I contacted a drug investigator with the Sheboygan Police Department and requested both a name search and an address search for Johndeny Vega Lopez. I was advised there is no person named Johndeny Vega Lopez in the Sheboygan County-wide law enforcement database. Likewise, there is no record of any person named Johndeny Vega Lopez associated with the address 1021 Lincoln Avenue.

13. I conducted a search of the Thomson-Reuters CLEAR database for information written on the mailing label for the addressed intended recipient; Johndeny Vega Lopez 1021 Lincoln Avenue Sheboygan Wisconsin 53081. The Thomson-Reuters CLEAR database returned no record for Johndeny Vega Lopez at this address. I searched the Thomson-Reuters CLEAR database for any person with the surname Vega Lopez in Sheboygan and the Thomson-Reuters CLEAR database returned no record for any person with the surname Vega Lopez in Sheboygan, Wisconsin. I searched the Thomson-Reuters CLEAR database for any person with the name Johndeny Vega Lopez in all of Wisconsin and the Thomson-Reuters CLEAR database returned no record for any person with the name Johndeny Vega Lopez in Wisconsin.

14. I conducted an open search of the Wisconsin Department of Transportation database for the name Johndeny Vega Lopez having been issued a driver license or identification card by the State of Wisconsin. No person named Johndeny Vega Lopez has been issued any driver license or identification card by the State of Wisconsin.

15. Based upon my training and experience in the investigation of smuggling, trafficking and distribution of controlled substances, entering the Eastern District of Wisconsin through the United States Mail, taken with the totality of all the circumstances surrounding the interdiction of this parcel, I believe this parcel likely contains controlled substances being sent through the United States Mail. I moved forward with a noninvasive law enforcement technique which would assist to confirm or refute my suspicions.

16. The USPIS is a member agency of the North Central (formerly Wisconsin) High Intensity Drug Trafficking Area-HIDTA, a multi-agency anti-drug task force, organized under the Office of the National Drug Control Policy. I am assigned to the HIDTA-Interdiction Initiative Group. I contacted Milwaukee Police Officer Joseph Scheuring, a certified narcotics canine (K-9) handler who is also a member of the Interdiction Initiative Group, for assistance in conducting a canine sniff of the air near the **SUBJECT PARCEL**.

17. On Thursday, May 19, 2022, I met with Officer Scheuring and his canine "Titus" in a vacant office building in downtown Milwaukee Wisconsin. Together, Officer Scheuring and Titus are a certified Police Narcotic Detection Team. Canine Titus alerts to the odor of controlled substances (specifically heroin, cocaine, marijuana, methamphetamine and other controlled substances made-up of these components) by passively sitting and staring at the area or object emitting or containing the odor of the controlled substances he is trained to alert to. Officer Scheuring and Titus have received four weeks (200 hours) of intensive training and certification through Shallow Creek Kennels in Sharpsville Pennsylvania, in deploying and utilizing a drug detection canine; graduating on January 15, 2021. Officer Scheuring and Titus were certified by the North American Police Work Dog Association (NAPWDA) which is a nationally based group in partnership with local, state, federal and international agencies including private vendors, law

enforcement and first responder; this training establishes consensus-based best practices for the use of detection canine teams by improving the consistency and performance of deployed teams which will improve interdiction efforts as well as courtroom acceptance on January 13, 2021. Officer Scheuring and Titus have detected controlled substances more than 537 times in the past, which included training. In each alert, drugs that Titus is trained to find have been recovered or a drug nexus has been found. Titus's alerts have been the basis for more than twenty-six (28) state and federal search warrants of residences, USPS Parcels, and motor vehicles. During these searches canine Titus has located controlled substances resulting in the issuance of criminal charges.

18. Officer Scheuring informed me that Titus's alert indicates the presence of controlled substances or other items, such as proceeds of controlled substances, which have been recently contaminated with, or associated with, the odor of one or more controlled substances.

19. On May 19, 2022, the **SUBJECT PARCEL**, was among four additional empty boxes placed in a vacant office building in downtown Milwaukee Wisconsin. Officer Scheuring and I watched Titus ceasing all movement, sitting, and staring at the **SUBJECT PARCEL**. Officer Scheuring advised me that these actions are consistent with Titus alerting on the **SUBJECT PARCEL**, detecting the odor of controlled substances.

20. Based upon the information as outlined in this affidavit, I respectfully believe that this parcel may contain controlled substances being trafficked through the United States Mail. Consequently, I respectfully request authorization to open this parcel and search its contents for evidence of controlled substance trafficking. I also request permission to seize contents of the parcel as evidence, that may constitute contraband, proceeds or fruits of the crime of violations of Title 21, United States Code, Sections 841(a)(1) (Distribution and Possession with Intent to

Distribute a Controlled Substance), 846 (Conspiracy to Distribution and Possession with Intent to Distribute a Controlled Substance, and 843(b) (Unlawful Use of a Communication Facility (including the mails) to Facilitate the Distribution of a Controlled Substance).

21. I have not included in this affidavit each and every fact known to me regarding this investigation and search warrant application request; the facts included are only those that I, respectfully, believe may relate to a determination of whether there is probable cause to believe that items sought to be seized will be found in the place, or item, to be searched, and whether those items are evidence of the offenses identified in this affidavit.

22. The **SUBJECT PARCEL** is currently located at the United States Postal Inspection Service Office in Milwaukee, Wisconsin.